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ATTORNEYS FOR PLAINTIFFS,
KATHLEEN VENTIMIGLIA, individually, and as the Guardian
Ad Litem for STEPHEN VENTIMILIA and KELLIE VENTIMILIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KATHLEEN VENTIMIGLIA, individually,
and as the Guardian Ad Litem for
STEPHEN VENTIMILIA and KELLIE
VENTIMILIA,

Plaintiffs,

v.

UNITED STATES OF AMERICA,
CHAMBLIN-LANDES CONSTRUCTION,
INC., a California corporation, and DOES
1-50, inclusive,

Defendants.

No. C07 05481 RS

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING MOTION
TO DISMISS AND RELATED
DEADLINES**

WHEREAS, plaintiff desires to complete several depositions of both current parties and certain of their employees and of parties that plaintiff plans to bring into the case, before the United States of America's motion to dismiss is heard, currently set for November 5, 2008.

Accordingly, so that the depositions can be noticed and completed prior to the United States of America's motion to dismiss, the parties to this action, through their

attorneys of record, hereby STIPULATE AND AGREE to continue the hearing of said motion to February 25, 2009. at 9:30 a.m.

Respectfully submitted,

DATED: September 2, 2008

JOSEPH P. RUSSONIELLO
United States Attorney

/s/ Claire T. Cormier
CLAIRE T. CORMIER
Assistant United States Attorney

DATED: September 2, 2008

CORSIGLIA, McMAHON & ALLARD LLP

/s/ Bradley M. Corsiglia
BRADLEY M. CORSIGLIA
Attorneys for Plaintiffs

DATED: September 2, 2008

EMERSON, COREY & SORENSEN

/s/ James D. Emerson
JAMES D. EMERSON
Attorneys for Defendant,
Chamblin-Landes Construction, Inc.

[PROPOSED] ORDER

Pursuant to the stipulation of the parties and good cause appearing, IT IS SO ORDERED.

DATED: September 3, 2008


RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE